

MEMORANDUM

B&F
Agenda Item No. 2H

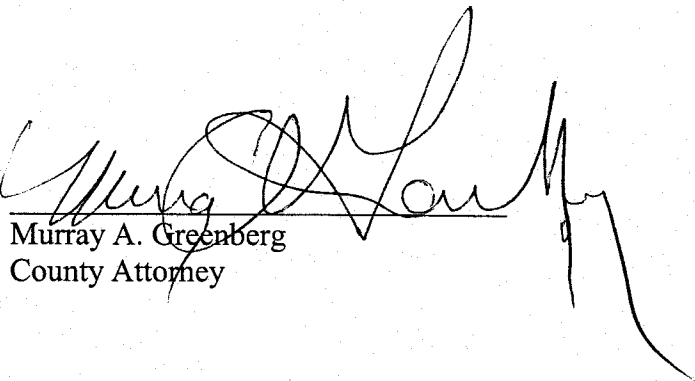
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 13, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance pertaining to
the County's Employee
Protection Ordinance

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Katy Sorenson.


Murray A. Greenberg
County Attorney

MAG/jls

Memorandum



Date:

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Borges
County Manager

Subject: Ordinance pertaining to the County's Employee Protection Ordinance

The ordinance amending Section 2-56.28.19 of the Code of Miami-Dade County pertaining to awards for the reporting of information under the County's employee protection ordinance will not have a fiscal impact to Miami-Dade County.

Corinne Brodus
for Alina T. Hudak
Assistant County Manager

Fiscal00106



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 6, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public
hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's
report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 4(G)

12-05-06

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2-56.28.19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PERTAINING TO AWARDS FOR THE REPORTING OF INFORMATION UNDER THE COUNTY'S EMPLOYEE PROTECTION ORDINANCE; PROVIDING FOR AWARDS TO BE GIVEN WHEN INFORMATION IS REPORTED ANONYMOUSLY, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-56.28.19 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 2-56.28.19. Reporting employee's award program.

>>(a)<< Employees who report information pursuant to this division >>on their own initiative in a written and signed complaint or who disclose information anonymously in accordance with written procedures adopted by the County Manager for receiving anonymous complaints,<< which results in the County's recovery of public funds shall be eligible to apply for an award of up to ten (10) percent of the net amount recovered or one hundred thousand dollars (\$100,000.00), whichever is less.

>>(b) The procedures adopted by the County Manager to receive anonymous complaints shall include provisions for requiring that complaints be made to the Manager or his designee and for protecting the identity of the person making the disclosure. To the extent reasonably possible, persons wishing to make anonymous complaints shall be informed of the Reporting Employee's award program and advised of the need to register their complaint with the Manager and to identify

¹Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

themselves to the Manager if they wish to be eligible for an award. In accordance with the provisions of State law protecting whistleblowers, the Manager shall keep confidential the names of those wishing to remain anonymous until such time as the person states that he or she wishes to be identified in order to claim an award under this section.

(c)<< The precise amount of any ~~[[such]]~~ award >>under this section<< shall be set by the County Manager in accordance with the following procedure: The Manager shall select for each application a panel of three (3) County administrators who shall conduct an informal hearing for the purpose of recommending to the County Manager whether an award should be granted and the amount of any such award. The panel's recommendation shall include consideration of:

(1) The significance of the information revealed to improving the efficiency of the County;

(2) The likelihood that the County would have learned of the information if the employee had not reported it; and

(3) If the information was reported by more than one employee, whether and how it should be apportioned.

The panel's written recommendation shall be submitted to the Manager whose decision as to whether an award should be granted and the amount thereof shall be final.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

5

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

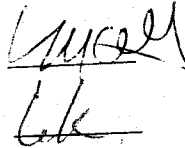
PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Lee Kraftchick

Sponsored by Commissioner Katy Sorenson

Handwritten signature of Lee Kraftchick, consisting of a stylized 'L' and 'K'.